

Exhibit 1



Notice of Service of Process

null / ALL
Transmittal Number: 22961665
Date Processed: 03/25/2021

Primary Contact: Sheryl Arneson
3M Company
3M Center
Bldg 220-9E-02 220-10W/F06
Saint Paul, MN 55144-1000

Electronic copy provided to: Gwen Bernardy-Bauer
Canhnha Luu

Entity: D B Industries, LLC
Entity ID Number 3573519

Entity Served: D B Industries, LLC

Title of Action: Jose Cardenas vs. D B Industries, LLC

Matter Name/ID: Jose Cardenas vs. D B Industries, LLC (11082355)

Document(s) Type: Summons/Complaint

Nature of Action: Personal Injury

Court/Agency: Cook County Circuit Court, IL

Case/Reference No: 21 L 002155

Jurisdiction Served: Minnesota

Date Served on CSC: 03/25/2021

Answer or Appearance Due: 30 Days

Originally Served On: CSC

How Served: Personal Service

Sender Information: Susan D. Smith
312-263-6452

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To avoid potential delay, please do not send your response to CSC

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 SUMMONS

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 ALIAS - SUMMONS

(2/28/11) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION

JOSE CARDENAS

(Name all parties)

v.

D B INDUSTRIES, LLC., ET AL.

No. 21 L 002155

D B Industries, LLC - Registered Agent
 Corporation Service Co., 2345 Rice St
 Ste. 230, Roseville, MN 55113-5603

☒ SUMMONS ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- | | | |
|---|--|--|
| <input type="radio"/> District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077 | <input type="radio"/> District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008 | <input type="radio"/> District 4 - Maywood
1500 Maybrook Ave.
Maywood, IL 60153 |
| <input type="radio"/> District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455 | <input type="radio"/> District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60428 | <input type="radio"/> Child Support
28 North Clark St., Room 200
Chicago, Illinois 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: 45719

Name: Harman & Fedick, Ltd.

Atty. for: Plaintiff

Address: 221 N LaSalle Street, Suite 2150

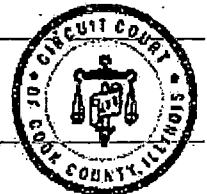
City/State/Zip: Chicago, Illinois 60601

Telephone: 312-263-6452

WITNESS, _____

3/9/2021 2:40 PM IRIS Y. MARTINEZ

Clerk of Court



Date of service: _____

(To be inserted by officer on copy left with defendant
or other person)

Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

FILED
2/25/2021 2:58 PM
IRIS Y. MARTINEZ
CIRCUIT CLERK
COOK COUNTY, IL
2021L002155
12354165

JOSE CARDENAS,

Plaintiff,

vs.

Case No. 2021L002155

**D B INDUSTRIES, LLC., and
3M d/b/a 3M FALL PROTECTION,**

Defendants.

COMPLAINT AT LAW

NOW COMES, the Plaintiff, JOSE CARDENAS by and through his attorneys, HARMAN & FEDICK, LTD. and GERACI, ARREOLA & HERNANDEZ, and in complaining of the Defendants, D B INDUSTRIES, LLC., and 3M d/b/a 3M FALL PROTECTION states as follows:

1. That on and before March 12, 2019, the Defendant, D B INDUSTRIES, LLC., was licensed to do business in the State of Illinois.
2. That on March 12, 2019 and all times pertinent hereto, D B INDUSTRIES, LLC, was a wholly owned subsidiary of 3M doing business as 3M FALL PROTECTION.
3. That sometime prior to March 12, 2019, the Defendant, D B INDUSTRIES, LLC., as a wholly owned subsidiary of 3M d/b/a 3M FALL PROTECTION, manufactured a DBI Sala Ultra-Lok Self Retracting Lifeline Cable product that entered into the stream of commerce.
4. That sometime prior to March 12, 2019, the Bulkmatic located at 7000 Santa Fe Drive in the City of Hogkins, County of Cook and State of Illinois purchased a DBI Sala Ultra-Lok Self Retracting Lifeline Cable that was manufactured and sold by the Defendant, D B INDUSTRIES, LLC., and as a subsidiary of 3M d/b/a 3M FALL PROTECTION.
5. That on and before March 12, 2019, the Plaintiff, JOSE CARDENAS, was an employee of

Bulkmatic located at 7000 Santa Fe Drive in the City of Hogkins, County of Cook, State of Illinois.

6. That on March 12, 2019, Plaintiff, JOSE CARDENAS, was working at the aforementioned Bulkmatic and was lawfully upon the premises.

7. That on the aforementioned date, the Plaintiff, JOSE CARDENAS, was working as a tank washer and was on top of a tank, washing it.

8. That at all times relevant, the Plaintiff, JOSE CARDENAS, was utilizing a DBI Sala Ultra-Lok Self Retracting Lifeline Cable owned by Bulkmatic in order to secure himself as he was washing the tank.

9. That at the aforementioned time and place, while the Plaintiff was washing the tank he stepped on black ice causing the Plaintiff, JOSE CARDENAS, to fall off of the tank and to the ground.

10. That as a result, the Plaintiff fell and sustained serious injuries.

11. That at all times relevant to this Complaint, the Defendant, D B INDUSTRIES, LLC, as a subsidiary of 3M d/b/a 3M FALL PROTECTION, designed, produced and/or manufactured the aforementioned DBI Sala Ultra-Lok Self Retracting Lifeline Cable, which the Defendant knew or should have known would be used as a safety restraint to prevent persons from falling to the ground.

12. That the defective condition of the DBI Sala Ultra-Lok Self Retracting Lifeline Cable existed at the time it left the Defendant, D B INDUSTRIES, LLC.'s possession.

13. That at the time said product left the possession of the Defendant, D B INDUSTRIES, LLC., and at the time entered the stream of commerce, said product was unreasonably dangerous in one of the following ways:

- a. Failed to perform as represented by the Defendant, D B INDUSTRIES, LLC, as subsidiary of 3M d/b/a 3M FALL PROTECTION;

- b. Was not properly manufactured so that it functioned as represented; and
- c. Contained defective material that made said product fail under an expected load.

14. That the DBI Sala Ultra-Lok Self Retracting Lifeline Cable remained unchanged and was in the same condition at the time the Plaintiff utilized it.

15. That at all times relevant the Plaintiff was utilizing the product in a manner as directed by the Defendant, D B INDUSTRIES, LLC., and 3M d/b/a 3M FALL PROTECTION.

16. That as a direct and proximate result of one or more of the aforementioned negligent acts or omissions, the Plaintiff, JOSE CARDENAS, suffered severe and permanent injuries. He did incur and will in the future incur medical expenses, did and will in the future experience pain and suffering, and was kept and will in the future be kept from his usual occupation, duties, and affairs of daily life.

WHEREFORE, the Plaintiff, JOSE CARDENAS, by and through his attorneys HARMAN & FEDICK, LTD., and GERACI, ARREOLA & HERNANDEZ, prays for judgment against the Defendants, D B INDUSTRIES, LLC., and 3M d/b/a 3M FALL PROTECTION, in an amount within the jurisdiction of the Law Division of the Circuit Court of Cook County.

HARMAN & FEDICK, LTD.

/s/Susan D. Smith
Attorney for Plaintiff

HARMAN & FEDICK, LTD.
Firm No. 45719
Attorneys for Plaintiff
221 N. LaSalle Street, Suite 2150
Chicago, IL 60601
Ph: (312)263-6452
Firm@harmlaw.com

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

FILED
2/25/2021 2:58 PM
IRIS Y. MARTINEZ
CIRCUIT CLERK
COOK COUNTY, IL
2021L002155
12354165

JOSE CARDENAS,

Plaintiff,

vs.

Case No. 2021L002155

**D B INDUSTRIES, LLC, 3M d/b/a
3M FALL PROTECTION,**

Defendants.

AFFIDAVIT

Under penalty of perjury, I, Susan D. Smith, state that the total of money damages sought in the above-captioned case exceeds Fifty Thousand and No/00 (\$50,000.00) Dollars.

HARMAN & FEDICK, LTD.

/s/Susan D. Smith

Attorney for Plaintiff

HARMAN & FEDICK, LTD.
Firm No. 45719
221 N. LaSalle Street, Suite 2150
Chicago, IL 60601
Ph: (312)263-6452
Firm@harmlaw.com